



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

**REFERENCES:
505 KAR 1:170**

**CHAPTER: Prison Rape Elimination Act of
2003 (PREA)**

**AUTHORITY: KRS 15A.065; 28
CFR 386; 28 CFR 115.387; 28
CFR 115.388**

SUBJECT: Data Collection and Review

POLICY NUMBER: 909

TOTAL PAGES: 2

EFFECTIVE DATE: 04/04/14

APPROVAL: A. Hasan Davis, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall collect and maintain statistical data for reporting purposes to the federal government and utilize this information to develop and integrate a system of continuous quality improvement within DJJ.

II. APPLICABILITY

This policy shall apply to all DJJ staff, volunteers, interns, and contractors.

III. DEFINITIONS

Refer to Chapter 900.

IV. PROCEDURES

A. The Agency Compliance Officer shall assemble a review team of upper level management, supervisors, medical or mental health professionals, and when possible, investigators to conference and examine PREA incidents as required by 28 C.F.R. 115.386. The review team shall:

1. Conduct the review conference within thirty (30) days after the conclusion of a substantiated sexual abuse investigation;
2. Review all cases of sexual abuse within the DJJ;
3. Consider whether there is a need to change policy or practice to better prevent, detect, or respond to sexual abuse;

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4. Consider whether the incident was motivated by race, ethnicity, gender identity, identification as lesbian, gay bisexual, transgender, questioning, or intersex, gang affiliation, or was motivated or otherwise caused by other group dynamics at the facility;
 5. Assess if the area of the facility where the incident occurred attributed to the abuse;
 6. Assess the adequacy of staffing levels;
 7. Assess the need for change in video monitoring or additional equipment; and
 8. Review the findings of the investigation.
- B. The Agency PREA Compliance Officer shall report the review team findings, along with recommendations for improvement, to the facility Superintendent and the Facility PREA Coordinator.
 - C. The Internal Investigations Branch (IIB) shall work directly with the Agency PREA Compliance Officer to determine statistical data and information required for annual federal reporting purposes regarding PREA.
 - D. The Commissioner or the Commissioner's designee may conduct debriefing meetings to discuss any PREA related incidents.
 - E. The Agency PREA Compliance Officer shall conduct an annual meeting for the Commissioner and Executive Staff to discuss PREA related matters regarding the Department.
 - F. The Agency PREA Compliance Officer will compile an annual data report that shall be made available to the public.

V. STAFF TRAINING

- A. The Agency PREA Compliance Officer or designee or the PREA trainer from the Training Branch shall be responsible for training all Facility and Community PREA Coordinators regarding this policy.
- B. Each Facility PREA Coordinator shall be responsible for training facility staff regarding this policy.
- C. Each Community PREA Coordinator shall be responsible for training community staff regarding this policy.

VI. MONITORING MECHANISM

The Agency PREA Compliance Officer or designee shall conduct an annual audit to verify that DJJ is complying with this policy.